

REMARKS

This reply is fully responsive to the Office Action dated 03 MAY 2006, and is filed within six - (6) months following the mailing date of the Office Action. The Commissioner is authorized to treat this response as including a petition to extend the
5 time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed. The method of payment and fees for petition fee due in connection therewith is enclosed.

Disclosure/Claims Status Summary:

10 Claims 1 to 15 are pending in the application.

Claims 1 to 6, and 12 to 14 were withdrawn from consideration by the Office Action.

Claims 7 to 11 were rejected on the ground of non-statutory obviousness type double patenting as being unpatentable over claims 1 to 6 of the U.S. Patent No.
15 6,816,106 (to Butler).

Claim 10 is rejected under 35 U.S.C. 112, second paragraph.

Applicant has canceled the withdrawn Claims 1 to 6, and 12 to 14 without prejudice.

20 **I. DOUBLE PATENTING REJECTION:**

The Office Action has rejected Claims 7 to 11 on the ground of non-statutory obviousness type double patenting as being unpatentable over Claims 1 to 6 of the U.S. Patent No. 6,816,106 (to Butler).

25 The Applicant has filed herewith a terminal disclaimer under 37 CFR §1.321 to overcome the non-statutory obviousness type double patenting rejection, including payment of the appropriate fees for the terminal disclaimer under 37 CFR §1.20(d).

It should be noted that the filing of the terminal disclaimer is merely intended to comply with the requirements of the Office Action to solicit early allowance of the case.

Accordingly, Applicant respectfully submits that with the filing of the terminal
5 disclaimer under 37 CFR §1.321 and the payment of the appropriate fees therefor under 37 CFR §1.20(d), the rejection of Claims 7 to 11 on the ground of non-statutory obviousness type double patenting be withdrawn.

II. 35 U.S.C. 112, second paragraph rejection:

10 The Office Action rejected claim 10 under 35 U.S.C. 112, second paragraph. The Office Action stated that “Claim 10 recites the limitation ‘said GPS determined locations’ in lines 2-4. There is insufficient antecedent basis for this limitation in the claims. Examiner believes claim 10 should be depend on claim 9 to clear up the insufficient antecedent bases ‘said GPS.’”

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Applicant has corrected this obvious clerical error by amending claim 10 as follows:

The newly amended claim 10 now recites, *inter alia*:

20 “A surveillance system as claimed in claim 9, wherein...”

The amendment merely changes the dependency of the claim 10 from claim 7 to claim 9 to provide appropriate antecedence for the terms used within claim 10. No new subject matter has been added by this amendment.

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Hence, it is respectfully submitted that claim 10 is no longer indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Accordingly, it is respectfully requested that the rejection of claim 10 under 35 USC 112, second paragraph, as being indefinite be withdrawn.

CONCLUSION

The Applicant respectfully submits that in light of the above amendment/remarks, all claims are now in allowable condition. The Applicant thus respectfully requests timely allowance of all of the pending claims.

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Any claim amendments that are not specifically discussed in the above remarks are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those on the art to clearly understand the scope of the claim language. Furthermore, any new claims presented above are of course intended to avoid the prior art, but are not intended as replacements or substitutes of any cancelled claims. They are simply additional specific statements of inventive concepts described in the application as originally filed.

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Further, it should be noted that amendment(s) to any claim is intended to comply with the requirements of the Office Action so to elicit an early allowance, and is not intended to prejudice Applicant's rights or in any way to create an estoppel preventing Applicant from arguing allowability of the originally filed claim in further off-spring applications. Amendments may include cancellations of claims and/or the addition of new claims.

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In the event the Examiner wishes to discuss any aspect of this response, or believes that a conversation with either Applicant or Applicant's representative would be beneficial the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

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The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to the attached credit card form. In particular, if this

response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed. The petition fee due in connection therewith may be charged to deposit account no. 19-4415 if a credit card form has not been included with this correspondence or if the credit card could not be charged.

Respectfully submitted,

8/17/06
Date


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